

Moffatt Wireless LLC

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FCC

Dear FCC:

I am writing in regards to FCC Docket 04-405 which is a petition by BellSouth to have common carrier status removed from Bell owned broadband networks. BellSouth asks the FCC to no longer require them to offer their high speed broadband networks on a non discriminatory basis to independent internet service providers. BellSouth states that this is an unnecessary requirement for them because the cable companies do not have to provide the same access to ISP's.

It is my firm belief that if forbearance is granted to BellSouth, it would clearly pave the way for the Bells to discriminate against ISP's and VOIP providers that might utilize the BellSouth DSL network. The Bells would be free to only sell to ISP's that they deem fit, and to only carry the type of traffic that suits the Bells. BellSouth argues that current regulation prohibits them from being able to compete with cable companies cost effectively. However, they are making too broad of an assumption that the common carrier requirement is holding them back from gaining more market share against the cable companies. BellSouth needs to realize that ISP's help them compete against the cable companies.

Consumers want and deserve choice among broadband providers. Unfortunately, there are really only two alternatives in most places for broadband, telco DSL and cable internet. In some places there is only one or no choice. The Bells argue that the market is competitive due to wireless and satellite providers, but anyone with satellite internet will tell you that cable or DSL is much better and usually only use satellite as a last resort. We no longer live in a day when a consumer only had to change access telephone numbers to change internet service providers. Today it depends upon who owns the wire going to the house or business. BellSouth wants to be the wire owner and the ONLY ISP. Either get your internet from them, or don't get it. American consumers deserve a choice, and granting forbearance to BellSouth is clearly a step backwards and will no doubt harm the consumer.

This petition also has the potential to eliminate choice for VoIP service as well. BellSouth would be able to discriminate against who has access to their pipe and would be free to discriminate against what type of traffic is carried across it. Common carrier status requires neutrality, which must not be taken away. If the owner of the wire can control the traffic flowing across it, then the wire owner could clearly prohibit or de-prioritize time sensitive traffic such as voice from competing providers such as Vonage, which would kill the VoIP movement in its tracks.

In summary, granting forbearance to BellSouth would undermine the FCC's promotion of competition and deployment of VoIP service as well as destroy independent internet service providers nationwide, the very pioneers who made home and small business internet access possible.

Sincerely,

Joe Moffatt
IT Manager, Moffatt Wireless LLC